



PUBLIC NOTICE

US Army
Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMS(US FWS/STEWARTS
CANAL/WEIR)04-64180-7

Comment Period: September 22, 2004 to October 22, 2004

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT *U.S. Fish & Wildlife Service
Attn: Mr. Glenn A. Carowan, Jr
2145 Key Wallace Drive
Cambridge, Maryland 21613*

LOCATION *In Stewarts Canal (a man-made ditch) off of Parsons Creek near Smithville
Dorchester County, Maryland.*

WORK *The applicant proposes to construct a 600 linear foot aluminum weir and a 100 linear foot aluminum bulkhead to be backfilled with rock; and to install a water control structure at the centerline of Stewarts Canal channel. The purpose of the work is to restrict high salinity flow thereby improving conditions for the re-establishment of approximately 18,000 acres of freshwater tidal marshes in the upper Blackwater River drainage area. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mrs. Maria Lasek, at (410) 962-4501.*

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH). The project site lies in or adjacent to EFH as described under MSFCMA for Scopthalmus aquosus (windowpane flounder) juvenile and adult; Pomatomus saltatrix (bluefish) juvenile and adult; Peprilus triacanthus (Atlantic butterfly) eggs, larvae, juvenile and adult; Paralichthys dentatus (summer flounder) larvae, juvenile and adult; Centropristus striata (black sea bass) juvenile and adult; and eggs, larvae, juvenile and adult stages of Scomberomorus cavalla (king mackerel), Scomberomorus maculatus (Spanish mackerel), Rachycentron canadum (cobia), and Sciaenops ocellatus (red drum), managed species under MSFCMA. The project has the potential to adversely effect EFH on the species of concern by loss of spawning, nursery, forage and/or shelter habitat. The Baltimore District has determined that the adverse effects of this project would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended

to minimize adverse effects on EFH, at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

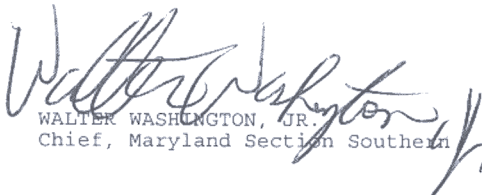
A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

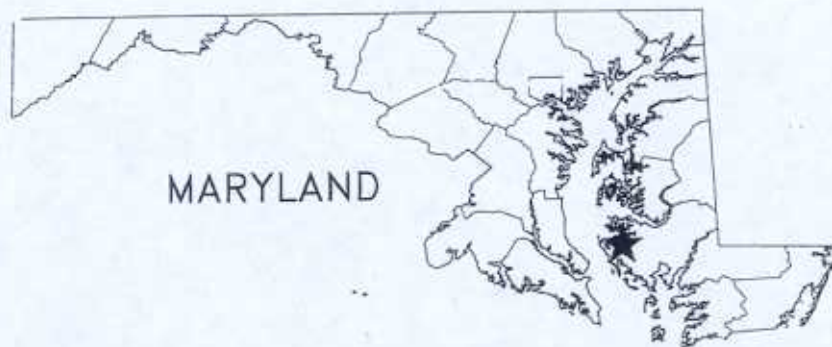

WALTER WASHINGTON, JR.
Chief, Maryland Section Southern



DUCKS UNLIMITED INC.
**PARSONS CREEK
RESTORATION**
DORCHESTER COUNTY, MARYLAND
IN COOPERATION WITH
**U.S. ARMY CORPS OF ENGINEERS AND
U.S. FISH AND WILDLIFE SERVICE**
BLACKWATER NATIONAL WILDLIFE REFUGGE

SPECIFICATIONS

- 101 GENERAL CONDITIONS
- 102 SUPPLEMENTAL CONDITIONS
- 201 MOBILIZATION
- 202 SITE PREPARATION
- 203 EXCAVATION
- 204 EMBANKMENT CONSTRUCTION
- 208 WATER
- 301 WATER CONTROL STRUCTURES
- 302 STRUCTURE AND CULVERT APPURTENANCES
- 303 CULVERT AND PIPE INSTALLATION
- 304 CAST-IN-PLACE REINFORCED CONCRETE
- 305 RIPRAP AND AGGREGATE PLACEMENT
- 307 SHEET PILE MATERIALS
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- 401 SOIL EROSION AND POLLUTION CONTROL
- 402 SEEDING & MULCHING
- 404 TRAFFIC MAINTENANCE AND CONTROL



PROJECT LOCATION



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- 5. DETAIL SHEET 1
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- 7. DETAIL SHEET 3

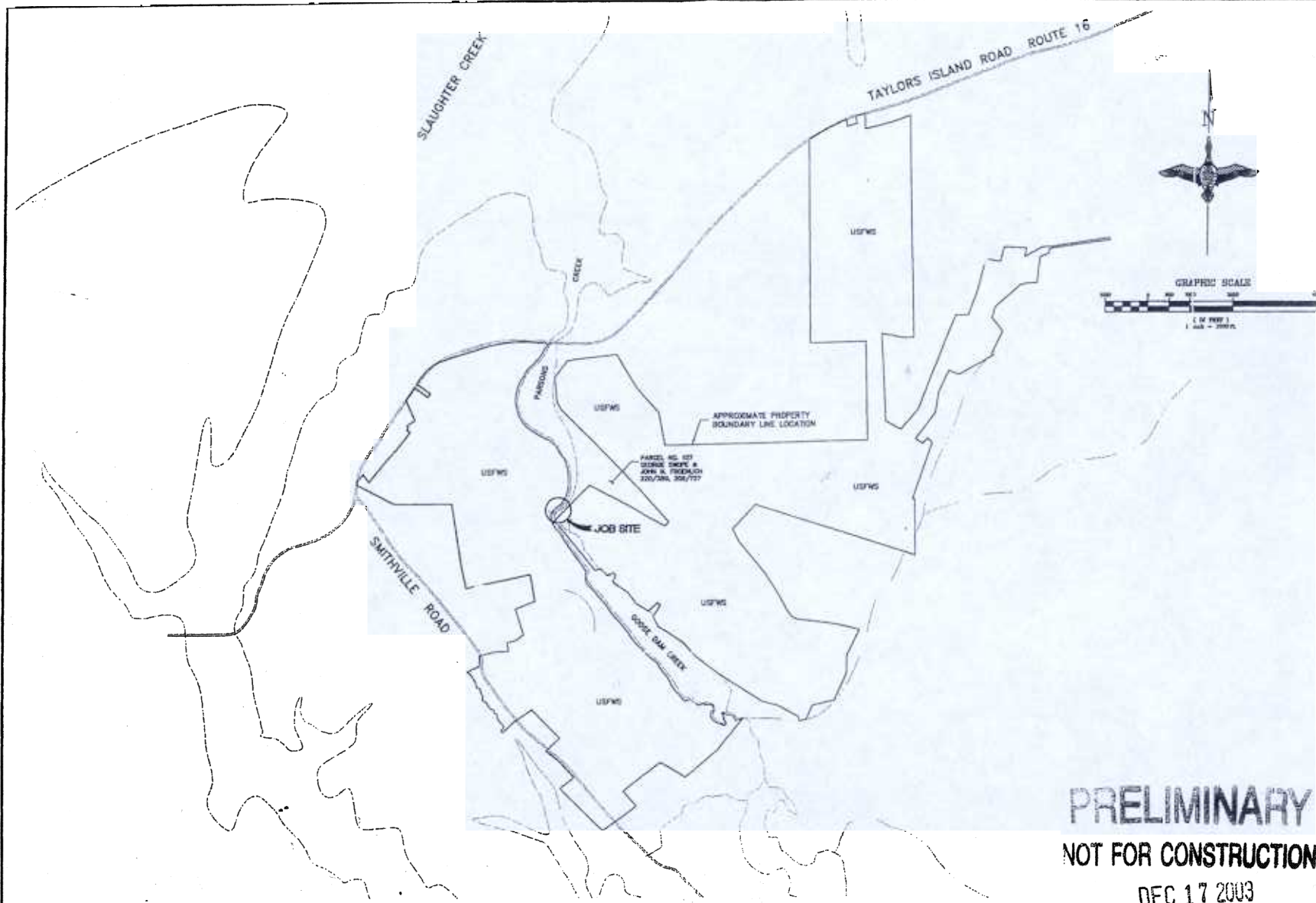
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COVER SHEET
PARSONS CREEK RESTORATION

GLARS-MGT-001-01



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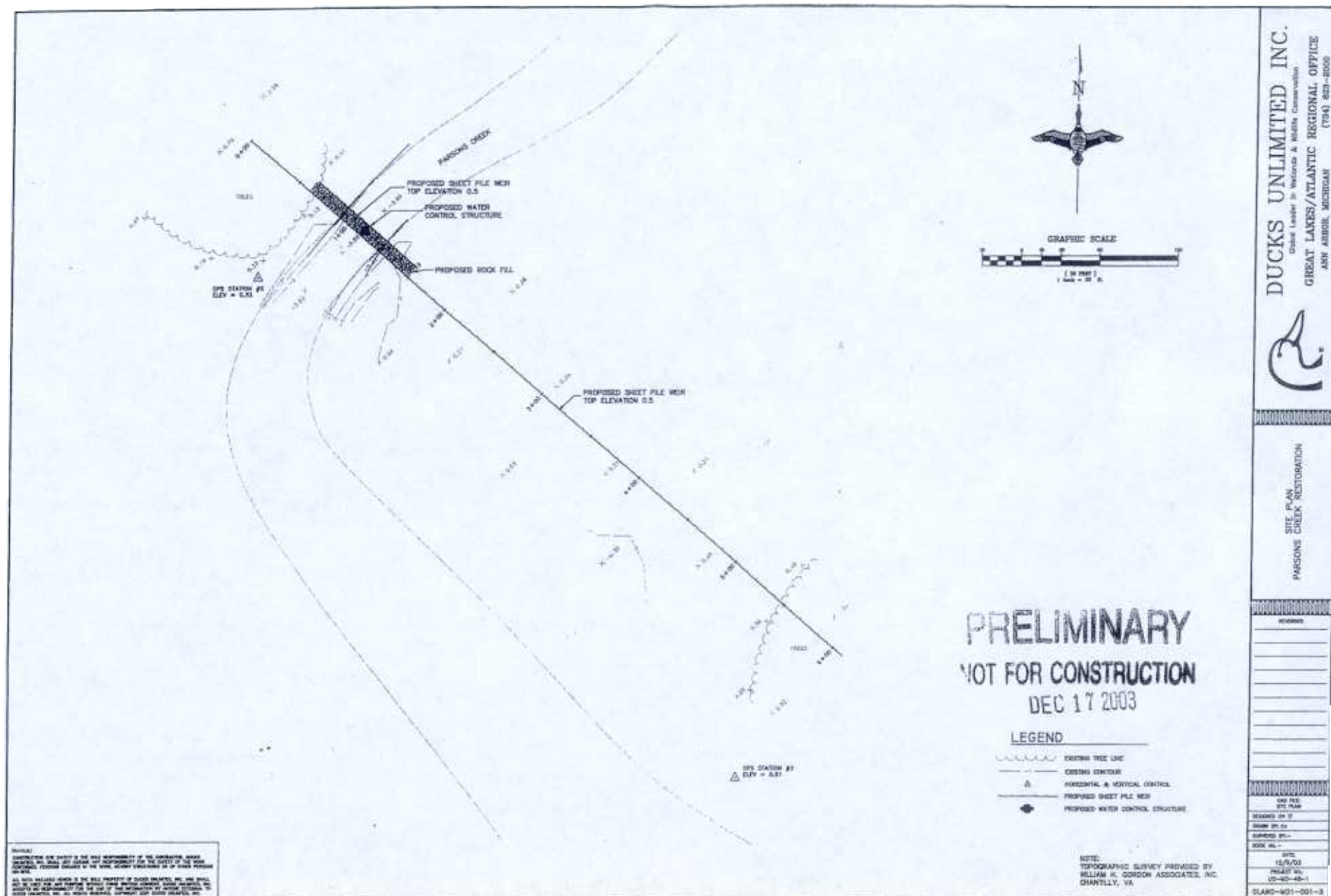
NQTE:
APPROXIMATE BOUNDARY LINE LOCATIONS
PROVIDED BY THE UNITED STATES FISH
AND WILDLIFE SERVICE.

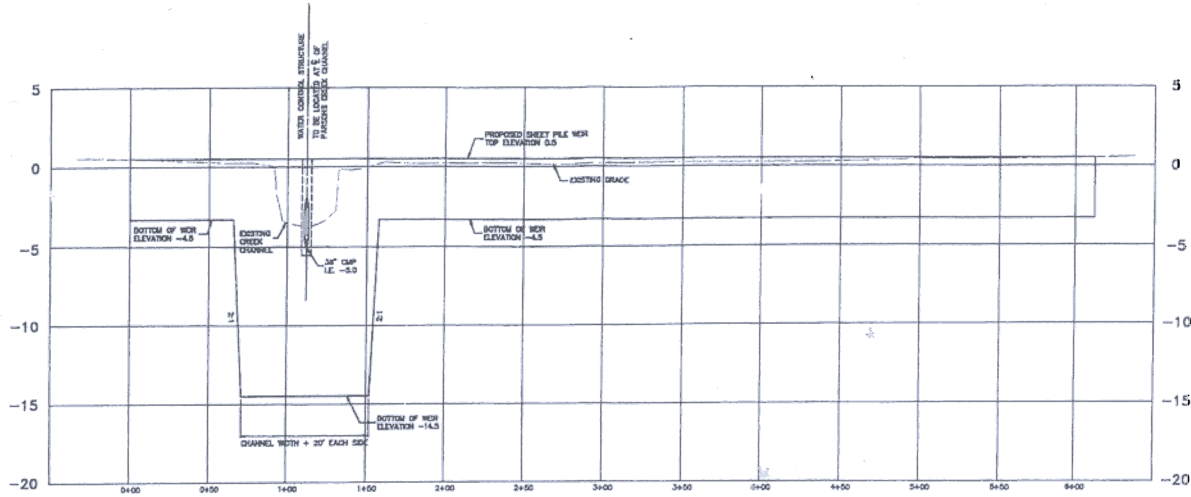
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ANN ARBOR, MICHIGAN (734) 623-2000



OVERALL SITE VIEW
PARSONS CREEK RESTORATION

REVISIONS:
CAP FILE OVERALL SITE PLAN
DRAWING BY: TF
DESIGNED BY: BLS, DA
SUPPLEMENTED BY: --
BOOK NO.: -
DATE: 12/A/03
PROJECT NO.: US-MD-48-1
GLARO-MDI-001-2





SHEET PILE WEIR PROFILE

SCALE: HORIZ. 1"=30'
VERT. 1"=5'

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**SHEET PILE WEIR PROFILE
PARSONS CREEK RESTORATION**

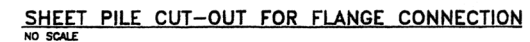
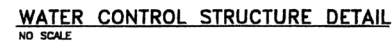
REVISIONS:

CAD FILE: WDR PROFILE
DESIGNED BY: TF
DRAWN BY: DA
SURVEYED BY: --
BOOK NO. --
DATE: 12/8/03
PROJECT NO.: US-MD-48-1
GLARO-MD1-001-4

GLARO-MD1-001-4



CMP TO WEIR CONNECTION DETAIL
NO SCALE



NEWSPRINT

CAD FILE DETAILS

BOOKED BY: TF

DATE SHIP: DA

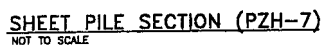
INVENTED BY: --

OK INCL: --

DATE
12/9/03

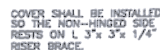
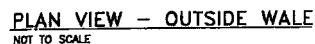
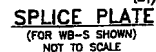
PROJECT NO:
US-MD-48-1

ARO-MD1-001-5

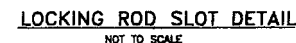
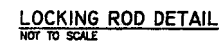
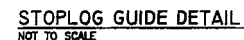


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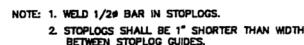
RISER COVER DETAIL
NOT TO SCALE





NOTE:
PROVIDE ONE 3/4" DIAMETER ROD WITH 4"
LONG "L" HANDLE PER STRUCTURE. THE
LENGTH OF THE ROD IS THE HEIGHT OF THE
STRUCTURE PLUS 1 FOOT.

NO SCALE



NOT TO SCALE



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DETAIL SHEET 3
PARSONS CREEK RESTORATION

REVIEWS

CAD FILE

DESIGNED BY TF

100-443887-100
 100-443887-100

BOOK NO. -

12/9/03

US-MD-48

GLAXO-MBT-1